

THE CORTEZ LAW FIRM

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June 26, 2023

Hon. Paul A. Crotty
U.S. District Judge
500 Pearl Street, Room 14C
New York, NY 10007

Re: **Motion to Modify Bail Conditions in U.S. v. Mona Faiz Montrage; Case No. 1:22-cr-00617 PAC.**

To the Honorable Court:

Mona Faiz Montrage has no criminal history and is before this Court on an indictment that alleges a non-violent offense that is alleged to have been completed in 2019. Ms. Montrage is moving this Court to Modify her Bail Conditions given that she has regained possession of her seven (7) year old daughter. Ms. Montrage is the mother of a 7-year-old daughter of whom she has had custody since her birth in Bronx, New York in May 2016. On November 10, 2022, Ms. Montrage temporarily lost possession of her daughter upon her arrest for the instant indictment while she was attempting to board a plane at Heathrow Airport in London, UK.

Fortunately, Ms. Montrage has a proven record of compliance with strict bail conditions since her arrest in London, UK in November 2022. Attached as Exhibit 1 to this motion the Court will find a copy of the Bail Conditions to which Ms. Montrage was ordered to comply from November 11, 2022 to May 15, 2023, when she was extradited to the U.S. There were no bond violations recorded or reported by the authorities in the United Kingdom ("UK"). Indeed, Ms. Montrage established such an impressive record of reliability while on bond that on the date of her extradition she was permitted to arrange for her own transportation to Heathrow Airport

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without any law enforcement participation. Moreover, Ms. Montrage agreed to be extradited even though she knew that she would be incarcerated upon her arrival in the U.S.

By way of background, Ms. Montrage and her daughter moved from New York in January 2019 and had been living in Accra, Ghana together from January 2019 to November 2022. Of course, given that the child was born in New York, she is a U.S. citizen and for that reason she was deported back to the U.S. by UK authorities when she attempted to visit Ms. Montrage in London in December 2022. From December 2022 to June 23, 2023, the minor child has been living with relatives and attending school in Bronx, NY. On June 23, 2023, the minor child completed her school year and was reunited with Ms. Montrage and relocated to the home in Union, NJ where Ms. Montrage is currently being detained.

Ms. Montrage is respectfully requesting that she remain on GPS tracking and that her travel restrictions continue to be limited to the Southern and Eastern Districts of New York as well as the District of New Jersey. The only modification Ms. Montrage is requesting is that she be allowed to leave her home as needed from the hours of 6:00 a.m. to 9:00 p.m. daily without having to send an email request 24 hours prior to her departure. This modification is consistent with Ms. Montrage's bail conditions during her six-month stay in London where she was confined to an area but was free to come and go as necessary between the hours of 6:00 a.m. and 9:00 p.m.¹

Ms. Montrage now has possession of her daughter, but she is currently forbidden from even venturing out of the condominium where she resides because it is an open common area for all the residents of the condominium. Additionally, on June 22, 2023, Ms. Montrage sought

¹ See Exhibit 1 which states she was confined to her residence only between the hours of 2100 hours (9:00 p.m.) to 0600 hours (6:00 a.m.).

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permission to visit the home of her cousin and bond co-signer, Fatahia Chung, for a family dinner to celebrate her birthday that falls on June 26.² Given her custody of her minor child, Ms. Montrage is now obligated to provide her daughter with all the care a child requires including exercise, entertainment and education. The child will be enrolled in Battle Hill Elementary School in Union, NJ for the school year beginning in September 2023. To provide the necessary care for her daughter, Ms. Montrage will have to leave her residence without providing the 24-hour notice that is currently required because said notice is impractical given the common needs of a child.³

For these reasons, Ms. Montrage is respectfully asking this Court to grant the following relief: 1) Keep her on GPS monitoring; 2) Continue to restrict her travel to SDNY/EDNY and the District of New Jersey; and 3) **Allow her to leave her residence as needed between the hours of 6:00 a.m. to 9:00 p.m.** (Stated another way, the Court can confine her to her current residence between the hours of 9:00 p.m. to 6:00 a.m.).⁴ Counsel conferred with the government, and the government is opposed to this motion citing Ms. Montrage's lack of citizenship status. Pre-trial Services is also opposed because it did not consider there to be a change in circumstances from the date of Ms. Montrage's arrest.

Sincerely yours,



Adam C. Cortez
SDNY Bar No. AC0325

² See the email thread that is attached hereto as Exhibit 2 and incorporated by reference herein. The District of New Jersey Pretrial Office rejected that request and referred Ms. Montrage to seek permission from this Court.

³ The father of the minor child is not present in the United States nor is he currently involved in his child's life.

⁴ The facts alleged herein are all supported by the declaration of Ms. Montrage that is attached hereto as Exhibit 3 and incorporated by reference as if fully set forth herein.